

Message Text

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PAGE 01 USUN N 03361 202141Z

63

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CIAE-00 CIEP-01 COME-00 DODE-00 DOTE-00 EB-07 EPA-01

ERDA-05 FMC-01 TRSE-00 H-02 INR-07 INT-05 JUSE-00

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FROM USLOS DEL

E.O. 11652: GDS

TAGS: PLOS

SUBJ: LOS: MARINE SCIENTIFIC RESEARCH - YANKOV CONSULTATION

18 AUGUST 1976 (DAILY REPORT) COMMITTEE III

1. DISCUSSION IN YANKOV GROUP CONTINUE TO SHOW NO MOVEMENT BY EITHER SIDE. KENYA, BRAZIL, TUNISIA, ECUADOR MERGED THEIR SEPARATE PROPOSALS INTO A COMMON TEXT WHICH REFLECTS THE MOST EXTREME ELEMENT OF EACH PROPOSAL. WHEN KENYA REQUESTED THAT CHAIRMAN OF GROUP OF 77 GIVE REPORT OF THEIR CONSULTATIONS, CUBA AND MEXICO OBJECTED STATING THAT NO 77 POSITION HAD BEEN ESTABLISHED. CHAIRMAN OF 77 GAVE REPORT STATING THAT MAJORITY FAVORED THE FOUR POWER DRAFT BUT IT WAS PRESENTED HERE ON BEHALF OF THE FOUR CO-SPONSORS ADDING THAT THE ARAB GROUP HAD SUBSEQUENTLY ENDORSED TEXT. MEXICO INTERVENED TO STATE THAT REFERENCE TO MAJORITY OF 77 WAS MISLEADING SINCE ONLY 5 PERCENT OF MEMBERSHIP PRESENT. CHINA, TRINIDAD AND TOBAGO AND
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PAGE 02 USUN N 03361 202141Z

SOMALIA ENDORSED FOUR POWER DRAFT U.S., NETHERLANDS

AND ITALY STATED FOUR POWER DRAFT WAS UNACCEPTABLE REFLECTED A LACK OF WILLINGNESS TO NEGOTIATE. PAKISTAN EXAMINED ALL PROPOSAL AND SAID THEY WOULD HESITATE TO SUPPORT U.S. PROPOSAL NOW AND STRESSED NECESSITY OF COASTAL STATE CONSENT FOR RESEARCH ADDING THAT THEY SUPPORTED FOUR POWER DRAFT. MEXICO REJECTED FOUR POWER DRAFT BECAUSE IF REQUIRED EXPRESS CONSENT THEREBY NEGATING TACIT CONSENT WHICH MEXICO VIEWED AS ESSENTIAL TO A COMPROMISE. MEXICO STRONGLY ATTACKED CONSENT REQUIREMENT OF FOUR POWER DRAFT TO RESEARCH AFFECTING SECURITY OR POLITICAL INTERESTS OF COASTAL STATES BUT INDICATED POSSIBILITY OF ACCEPTING REFERENCE TO PEACEFUL PURPOSES.

2. YANKOV AT CONCLUSION OF MEETING ANNOUNCED THAT HE WOULD UNDERTAKE PRIVATE CONSULTATIONS AND PRODUCE A NEW TEXT ON AUGUST 19. HE STATED THAT IN HIS VIEW THERE WAS GENERAL AGREEMENT THAT (A) COASTAL STATE HAS RIGHT TO AUTHORIZE, REGULATE AND CONDUCT MARINE SCIENTIFIC RESEARCH IN ECONOMIC ZONE, (B) CONSENT SHOULD BE REQUIRED IN CERTAIN INSTANCES AND THE OPINION OF THE COASTAL STATE WAS IMPORTANT IN THIS CONNECTION AND (C) CONSENT SHOULD NOT NORMALLY BE WITHHELD EXCEPT IN CERTAIN INSTANCES. WHEN CHALLENGED BY JAPAN, YANKOV QUICKLY RETREATED TO A MORE NEUTRAL FORMULATION OF THESE ELEMENTS.

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